SENATE DEMOCRATIC CAUCUS

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Democratic Efforts on Water Use Send Bills to Governor

Dems praise preserved public water rights and diversion protection

LANSING—Taking an important first step toward improving protection of Michigan's water resources, the state House and Senate today concurred on legislation that creates new, improved guidelines for water use and withdrawal.

"Passage of these bills is a crucial step forward for water protection in the state of Michigan," said Sen. Liz Brater (D-Ann Arbor). "Most importantly, we are keeping the ownership of Michigan's water in the hands of Michigan citizens, not big business or special interests."

Overall, the legislation enhances existing water protections in several ways. Improvements include:

- Establishing uniform reporting requirements for all large capacity withdrawals;
- Establishing permits for new withdrawals over 2 million gallons per day, which will allow Michigan to finally fulfill the commitment we made 20 years ago under the Great Lakes Charter Agreement;
- Prohibiting withdrawals that cause "adverse resource impacts" as determined by measurable changes in the environment;
- Partially preserving Michigan's ability to object to diversions by applying adverse impact standard to withdrawals of greater than 5 million gallons per day from the Great Lakes;
- Creating a dispute resolution process that encourages water users to voluntarily adjust water use to avoid adverse resource impacts;
- Allowing the state to temporarily restrict water withdrawals in the event an extraordinary diversion that would have devastating effects;
- Ensuring that existing legal protections, including those afforded by the Michigan Environmental Protection Act, will continue to apply to water withdrawals.
- Creating a new, cutting-edge permit system for water bottlers that protects our waters, protects riparian property rights, and reinforces the public trust doctrine;

- Implementing a legislative approval system for all water diversion projects if the current Michigan law against diversions is overturned;
- Requiring each industry to begin work on conservation standards for their industry.

"I am pleased by the bi-partisan cooperation that brought these bills through both chambers," said Ray Basham (D-Taylor). "But the discussion over bottled water will have to continue."

The final legislative package passed with the unanimous support of the Senate.